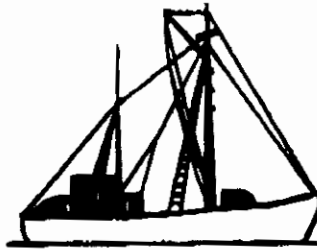


JAMES T. SIMONITSCH  
INDEPENDENT MARINE SURVEYOR



P.O. BOX 192, ROUND POND, ME 04564  
TEL: 207-529-6885 • FAX: 207-529-6887

to: Ms Zita Lovett (6 pages) Fri 4/7/06

Re: One Beacon American Insurance Company v. Blue Water Industries  
Inc, US District Court, District of Massachusetts, case #  
04-CV-11253

Good Morning, Ms. Lovett,

Status Report w/ questions:

1. As ordered by Judge Tauro, I have obtained an estimate covering collision damages to the #11 Prim Lady. A copy of the estimate is enclosed.
2. Question - Should I provide a copy to attorneys now or bring the original w/ copies to the hearing scheduled for 4/12/06 at 10 AM?
3. Question - Given that I ordered the estimate from Parthayan Shipyard & Marine Inc., should I now pay their invoice, enclosed, or pass it to the attorneys?

- 2 -

As implied, I intend to attend the hearing of April 12, 2006. I will be on the road today. For your convenience I provide you with:

Voice Mail - 207-529-6885  
FAX - 207-529-6887  
e-mail - sim@tidewater.net

Sincerely yours,

James T. Simmons  
Umpire

- Encl:
1. Fairhaven Shipyard Marina Inc, estimate dated April 4, 2006
  2. Fairhaven Shipyard Marina Inc, invoice dated April 6, 2006



## **FAIRHAVEN SHIPYARD & MARINA, INC.**

April 4, 2006

Mr. James T. Simonitsch  
P. O. Box 192  
Round Pond, ME 04564

Re: M/V "Prim Lady"

Dear Mr. Simonitch,

What follows is our estimate of repairs with respect to the Damaged outlined in your report of April 18, 2005.

Unless otherwise stated all prices include labor, material and equipment charges.

1. Move vessel to our repair facility and place in work shed.

Total for Item 1	\$2,500.00
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2. Remove guards in area of starboard side, grind lay-up, fill and fair. Repair gel coat and blend to surrounding area. Renew damaged rub-rail and re-install.

Total for Item 2	\$3,500.00
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3. Repair damage to starboard fuel fill.

Total for Item 3	\$2,250.00
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4. Fill potable water tank to determine point of leak. Upon determining the cause of leak a repair plan will be formulated.

Total for Item 4	\$248.00
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5. Cut inspection opening in forward top of starboard fuel tank to allow for inspection of starboard fuel tank in the area of damaged fuel fill. If no damage is found inspection opening will be closed by means of a fiberglass repair with the deck paint pattern to be recoated as close to original as possible in the area of repair. If damage is found a repair procedure will be formulated and estimated.

Total for Item 5	\$1,250.00
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50 FORT STREET, FAIRHAVEN, MA 02719  
TEL: 508-899-1600 • FAX: 508-899-1650 • [www.fairhavenshipyard.com](http://www.fairhavenshipyard.com)

6. Remove engine from vessel disassemble and inspect, report findings. Disassembly to consist of removal of cylinder heads to check condition of pistons, remove of coolers to allow for inspection. Crank shaft end play will be checked in place. Reassemble and reinstall engine.  
Total for Item 6 \$7,500.00
7. Bench test all electronics. Will allow for a 2 hour test of each set, I will assume 5 pieces of electronics. There where no electronics on board at the time of my inspection.  
Total for Item 7 \$750.00
8. Fill, air and match gel coat in area of bench seat, and forward bunks in cuddy.  
Total for Item 8 \$1,240.00
9. Repair misc. scratches in starboard topsides. Compound and wax to blend repairs.  
Total for Item 9 \$1,488.00
10. Remove pilothouse aft slider, repair runners, repairs scratches to aft exterior bulkhead of pilothouse. Replace slider and insure proper operation.  
Total for Item 10 \$1,700.00
11. Upon completion of engine installation engine to be realigned once vessel is floated.  
Total for Item 11 \$2,288.00
12. Remove propeller shaft from vessel. Check and report findings and reinstall. During this operation the duramax shaft seal will be inspected and any damages noted.  
Total for Item 12 \$1,488.00
13. Replace 2 8D batteries.  
Total for Item 13 \$900.00
14. Reseal the area of stress crazin at the top of starboard aft canopy support.  
Total for Item 14 \$825.00
15. Replace broken pilothouse window.  
Total for Item 15 \$200.00

16. Sea trial vessel upon completion of repairs.

Total for Item 16

\$520.00

The foregoing estimate is for the outlined repairs. If any hidden damaged or extent of repairs increases beyond the scope outlined the owner or agent will be notified as to extent and cost.

If you have any questions on this matter please contact me at your convenience.

Regards,

  
Kevin M. McLaughlin

Apr 06 2006 9:55

Fairhaven Shipyard, Inc.

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## **FAIRHAVEN SHIPYARD & MARINA, INC.**

April 6, 2006

Mr. James T. Simonitch  
P. O. Box 192  
Round Pond, ME 04564

RE: M/V "Prim Lady"

Invoice for services provided regarding preparation of estimate of repairs:

Meet with surveyor, James Simonitch to discuss estimate, review final report and estimate specifications. Numerous phone conversations to set up appointment with Mr Galgana. Travel to Green Pond Marina to review repairs with owner, Mr. Galagana and owner's surveyor, Mr. Scanlon. Prepare estimate and review with surveyor.

Total Hours	10	750.00
Travel		50.00

Total invoice amount	800.00
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Please make the check payable to Kevin McLaughlin